

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MOTION OFFENSE, LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

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CIVIL ACTION NO. 6:21-cv-00514-ADA

JURY TRIAL DEMANDED

**JOINT STIPULATION REGARDING PROCEDURES
FOR CONDUCTING VIRTUAL DEPOSITIONS**

WHEREAS, Plaintiff Motion Offense, LLC (“Motion Offense”) and Defendant Google LLC (“Google”), hereafter referred to as the “Parties,” agree that virtual depositions may involve material designated “CONFIDENTIAL,” “CONFIDENTIAL - ATTORNEYS’ EYES ONLY,” “CONFIDENTIAL - OUTSIDE ATTORNEYS’ EYES ONLY,” or “CONFIDENTIAL - SOURCE CODE” (“DESIGNATED MATERIAL”).

WHEREAS, if DESIGNATED MATERIAL is to be used during a deposition, the Designating Party shall be permitted to specify the technology to be used to conduct the deposition with respect to that DESIGNATED MATERIAL (*e.g.*, for audio/video-conferencing and exhibits).

THEREFORE, it is hereby STIPULATED AND AGREED among the Parties that when Google’s DESIGNATED MATERIAL is to be used during a deposition, the Parties agree to the following procedure:

1. The technology to be used to conduct the virtual deposition shall be Google Meet for audio/video-conferencing and Google Drive for exhibits. Absent written agreement of the

Parties, neither Parties' counsel, employees, or others acting on their behalf shall access or otherwise review in any manner any exhibit offered by the other party on Google Drive until such time as that exhibit is introduced in the deposition and will only access that specific exhibit unless directed otherwise.

2. A minimum of two business days prior to the deposition, Motion Offense shall provide the name and email addresses for any:
 - a. court reporter;
 - b. videographer; and
 - c. counsel attending on behalf of Motion Offense.

These individuals will also need to register for a Google Account in order to access the exhibits stored using Google Drive. The link to access the exhibits shall be available for no more than 48 hours after the deposition takes place and Motion Offense shall ensure the court reporter has a copy of the exhibits before it is deactivated.

3. To the extent that there is any confusion or conflict between the Protective Order and this Discovery Stipulation with respect to Google's DESIGNATED MATERIAL, then this Discovery Stipulation governs.

DATED: May 11, 2022

/s/ Robert W. Unikel

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CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2022, a true and correct copy of the above document was filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Robert W. Unikel

Robert W. Unikel